

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

William, Terry, K-89959

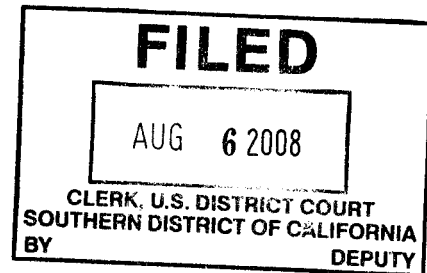
vs

Lt. McBride / Now Capt.
Sgt. Hernandez / Now Lt.
C/O Flores / Now Parole Officer
C/O Williams
Dr. Choo, Chief Physician
Dr. J. Ritter, CMO
Dr. J. Hunt

SUMMONS ON FIRST AMENDED COMPLAINT IN A CIVIL ACTION

Case No. 07-cv-2360-J-POR

TO: (Name and Address of Defendant)



YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY

William Terry
K-89959
California Institution for Men
PO Box 600
Chino, CA 91708

An answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

Clerk of Court

A. WOODEN

By A. Wooden, Deputy Clerk

August 6, 2008

DATE

RETURN OF SERVICE

Service of the Summons and Complaint was made by me

DATE

NAME OF SERVER

TITLE

Check one box below to indicate appropriate method of service

☐

Served personally upon the defendant. Place where served: _____

☐

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein:

Name of person with whom the summons and complaint were _____

☐

Return unexecuted: _____

☐

Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service Fees is true and correct.

Executed on: _____

Date

Signature of Server

Address of Server

NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE

IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES ON FORM 1A AVAILABLE IN THE CLERK'S OFFICE, CONDUCT ANY OF ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.

YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.

JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE UNLESS THE PARTIES AT THE TIME OF THEIR CONSENT TO TRIAL BEFORE A MAGISTRATE AGREE UPON REVIEW BY THE UNITED STATES DISTRICT COURT.

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

summons.frp